IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 19TH JANUARY 2007 / 29TH PAUSHA 1928

WP(C).No. 1373 of 2007(L)

PETITIONER:

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1. K. RAMANUJAN, AGED 35,
   S/O. KESAVAN, THOTTATHIL VEEDU, MEENADU,
   NEDUNGOLAM P.O., PARAVUR VILLAGE, KOLLAM DISTRICT.

2. K. NAJEEM, AGED 43,
   S/O. KOCHASSAN KUNJU, `HASANIZA', ITHIKKARA,
   ADICHANELLOOR VILLAGE, KOLLAM DISTICT.

3. B. JAYARAJ, AGED 33,
   S/O. BHARATHARAJAN, MUNDAMTHALAKKAL,
   KOTTAPPURAM VILLAGE, PARAVUR, KOLLAM DISTRICT.

BY ADV. SRI.V.VENUGOPALAN NAIR
SRI.C.UNNIKRISHNAN (KOLLAM)

RESPONDENTS:

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1. STATE OF KERALA,
   REPRESENTED BY THE DISTRICT COLLECTOR, KOLLAM.

2. THE TAHSILDAR, KOLLAM DISTRICT.

3. THE SUB INSPECTOR OF POLICE,
   CHATHANNOOR, KOLLAM.

BY ADV. SHRI.I.V.PRAMOD, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 1373 of 2007

Dated, this the 19th day of January 2007

J U D G M E N T

This writ petition is filed for a direction to the respondents to release the boats seized for allegedly used for mining and transporting sand from the river. Since factual issues are involved, it is for the adjudicating authority to consider petitioners' contentions. This writ petition is accordingly disposed of directing the 2nd respondent to refer the file to the District Collector immediately on production of a copy of the judgment for completing adjudication proceedings. The District Collector will hear the parties and adjudicate the case after affording an opportunity to petitioners to adduce evidence within three weeks from the date of production of a copy of the judgment.

This writ petition is disposed of as above.

Issue copy today itself.

Sd/-

C.N.RAMACHANDRAN NAIR, JUDGE.

jg

// TRUE COPY //

PA TO JUDGE.